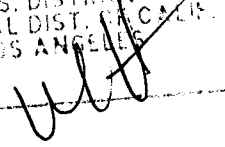


ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <b>Ramona Featherby dba California Judicial Recovery Specialists</b>  3344 McGraw Street, San Diego, California 92117  TELEPHONE NO.: 800-354-9496 FAX NO.: 866-531-7174 ATTORNEY FOR (Name): <b>Judgment Creditor/Movant</b>		LODGED FOR COURT USE ONLY  2008 JAN 23 AM 11:55 U.S. DISTRICT COURT CENTRAL DIST. OF CALIF. LOS ANGELES 
NAME OF COURT: <b>United States District Court/Central District of California</b> STREET ADDRESS: <b>312 North Spring Street</b> MAILING ADDRESS: <b>same</b> CITY AND ZIP CODE: <b>Los Angeles, CA 90012</b> BRANCH NAME:		
PLAINTIFF: <b>ULRICH RISCHER, an individual</b>  DEFENDANT: <b>BANLAVOURA I, INC., a California corporation</b>		
<b>APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION</b> <input checked="" type="checkbox"/> <b>ENFORCEMENT OF JUDGMENT</b> <input type="checkbox"/> <b>ATTACHMENT (Third Person)</b> <input type="checkbox"/> <b>Judgment Debtor</b> <input checked="" type="checkbox"/> <b>Third Person</b>		
		CASE NUMBER: <b>CV 96-3886 SJO (RNBX)</b>

**ORDER TO APPEAR FOR EXAMINATION**

- TO (name): custodian of records, Wells Fargo Bank
- YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
  - ☐ furnish information to aid in enforcement of a money judgment against you.
  - ☒ answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
  - ☐ answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date: April 15, 2008	Time: 9:30 a.m.	Dept. or Div.:	Rm.: Courtroom 6A D
Address of court <input type="checkbox"/> shown above <input checked="" type="checkbox"/> is: 411 W. 4th, Santa Ana, California 92701			

- This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: 1/25/08

**ROBERT N. BLOCK**  
JUDGE OR REFEREE

This order must be served not less than 10 days before the date set for the examination.

**IMPORTANT NOTICES ON REVERSE****APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION**

- ☐ Judgment creditor    ☒ Assignee of record    ☐ Plaintiff who has a right to attach order  
 applies for an order requiring (name): **custodian of records, Wells Fargo Bank** to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.
- The person to be examined is
  - ☐ the judgment debtor.
  - ☒ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
- The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
- ☐ This court is **not** the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
- ☐ The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 1-14-08

**Ramona Featherby**

(TYPE OR PRINT NAME)

  
(SIGNATURE OF DECLARANT)

Ramona Featherby d.b.a.  
California Judicial Recovery Specialists  
3344 McGraw Street  
San Diego, CA 92117-6053  
800-354-9496 • FAX 866-531-7174

MOVANT/JUDGMENT CREDITOR

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ULRICH RISCHER, an individual,

Plaintiff,

vs.

BANLAVOURA I, INC., a California  
corporation; BANLAVOURA-I, INC.  
TRUST, a California trust;  
ENGLEWOOD I INC., a California  
corporation; ENGLEWOOD I INC. TRUST,  
a California trust; LARRY ESACOVE, an  
individual; and AIDA ESACOVE, an  
individual,

Defendants.

Case No. CV 96-3886 SJO

**AFFIDAVIT OF  
RAMONA FEATHERBY  
IN SUPPORT OF  
EXAMINATION OF  
THIRD PARTY**

CCP§708.120,  
CCP§708.130

1. I am the Assignee of Record in the above-entitled action.
2. Judgment was entered in this action on February 20, 1998 and remains wholly unsatisfied.
3. The Debtors have refused to pay any monies whatsoever toward the judgment.
4. In response to my levy, on October 7, 2007 the U.S. Marshals received a Memorandum of Garnishee from Wells Fargo Bank. (Exhibit A)

- 1
- 2 5. This Memorandum was contradictory, in that J.T. Rudd, agent for Wells Fargo, indicated
- 3 that there was 'nothing to report.' Yet, Wells Fargo did tender the sum of \$252.67 to the
- 4 U.S. Marshals. Clarity is needed as it appears the Judgment Debtors did have funds with the
- 5 levied institution in contradiction to the declaration of Wells Fargo's agent. Documents and
- 6 an examination of Wells Fargo's custodian of records will therefore assist the undersigned
- 7 with enforcement of the judgment by discovery or attachment of assets.
- 8 6. Upon information and belief, Wells Fargo is a third party with 1.) possession of documents
- 9 which will lead to enforcement of said judgment and 2.) possession of property in which the
- 10 Judgment Debtors have an interest in an amount of at least \$250.00. As such, third party
- 11 Wells Fargo can be subpoenaed to testify before this court in an examination proceeding
- 12 under CCP§708.120 and §708.130.
- 13 7. I declare under penalty of perjury under the laws of the United States of America that the
- 14 foregoing is true and correct, and that this Affidavit was executed on January 14, 2008.

15 Dated: 1-14-08

16 

17 Ramona Featherby  
18 d.b.a. California Judicial Recovery Specialists  
19 **JUDGMENT CREDITOR/MOVANT**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): <input type="checkbox"/> Recording requested by and return to: <b>Ramona Featherby</b> <b>California Judicial Recovery Specialists</b> <b>3344 McGraw Street</b> <b>San Diego, CA 92117</b>	TELEPHONE NO.: (858) 272-1979 FAX NO.: (866) 531-7174 <div style="text-align: right; font-size: small;">FOR RECORDER'S USE ONLY</div> <div style="text-align: center; font-size: x-large; font-weight: bold;">07 OCT -5 PM 1:03</div>
ATTORNEY FOR (Name): NAME OF COURT: <b>United States District Court</b> STREET ADDRESS: <b>312 N. Spring Street</b> MAILING ADDRESS: <b>Civil Intake Section</b> CITY AND ZIP CODE: <b>Los Angeles, CA 90012</b> BRANCH NAME: <b>Central District of California</b>	
PLAINTIFF: <b>Ulrich Rischer</b>  DEFENDANT: <b>Banlavoura I, Inc., Banlavoura-I, Inc. Trust, Englewood I Inc., Englewood I Inc. Trust, Larry Esacove, and Aida Esacove</b>	
<b>MEMORANDUM OF GARNISHEE</b> <b>(Attachment — Enforcement of Judgment)</b>	
<div style="border: 1px solid black; padding: 5px;"> <b>NOTICE TO PERSON SERVED WITH WRIT AND NOTICE OF LEVY OR NOTICE OF ATTACHMENT:</b> This memorandum must be completed and mailed or delivered to the levying officer within 10 days after service on you of the writ and notice of levy or attachment unless you have fully complied with the levy. Failure to complete and return this memorandum may render you liable for the costs and attorney fees incurred in obtaining the required information.  <b>— RETURN ALL COPIES OF THIS MEMORANDUM TO THE LEVYING OFFICER —</b> </div>	
<div style="border: 1px solid black; padding: 5px;">         LEVYING OFFICER (Name and Address):  <b>United States Marshal</b>  <b>255 East Temple Street</b>  <b>Los Angeles, CA 90012</b> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         LEVYING OFFICER FILE NO.:          COURT CASE NO.: <b>CV 96-3886 SJO</b> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         This memorandum does <i>not</i> apply to garnishment of earnings.       </div>	

\$252.67

1. If you will not deliver to the levying officer any property levied upon, describe the property and the reason for not delivering it:

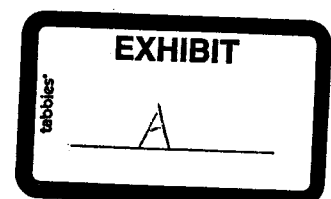
NOTHING TO REPORT

2. **For writ of execution only** Describe any property of the judgment debtor not levied upon that is in your possession or under your control:

NOTHING TO REPORT

3. If you owe money to the judgment debtor which you will not pay to the levying officer, describe the amount and terms of the obligation and the reason for not paying it to the levying officer:

NOTHING TO REPORT



(Continued on reverse)

SHORT TITLE:  Rischer v Banlavoura	ASSIGNING OFFICER FILE NO.:	COURT CASE NO.:  CV 96-3886 SJO
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4. Describe the amount and terms of any obligation owed to the judgment debtor that is levied upon but is not yet due and payable:

**NOTHING TO REPORT**

5. For writ of execution only Describe the amount and terms of any obligation owed to the judgment debtor that is not levied upon:

**NOTHING TO REPORT**

6. Describe any claims and rights of other persons to the property or obligation levied upon that are known to you and the names and addresses of the other persons:

NO SAFE DEPOSIT BOX FOUND

WELLS FARGO BANK  
LEVY PROCESSING  
MAC S3928-021  
PO BOX 29779  
PHOENIX, AZ 85038  
PHONE: 480-724-2000  
FAX: 480-724-5102

### DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

OCT 15 2007

JT Rudd  
Agent

(TYPE OR PRINT NAME)

J. T. Rudd  
(SIGNATURE)

If you need more space to provide the information required by this memorandum, you may attach additional pages.

☐ Total number of pages attached: